

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COTRELL KNIGHT,

Plaintiff,

vs.

JUVENAL GARCIA-GUZMAN, and AURA M. GARCIA-CARDENAS,

Defendants.

8:24CV332

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Cotrell Knight's Motion for Dismissal.

[Filing No. 7](#). On April 8, 2025, the Court entered an order granting Plaintiff's Motion for Leave to Proceed in Forma Pauperis ("IFP") and assessed an initial partial filing fee.

[Filing No. 6](#). However, the Court noted its suspicions that Plaintiff did not file the Complaint, [Filing No. 1](#), himself but rather his mother appeared to have signed the Complaint and filed it on his behalf. [Filing No. 6 at 3](#). The Court, therefore, directed Plaintiff to advise the Court in writing by May 8, 2025, if he did not want to proceed with this case and wished to avoid paying the filing fee. *Id.* Plaintiff filed his Motion for Dismissal on April 16, 2025, stating he "do[es] not wish to proceed with this case (Case #: 8:24CV332) and do[es] not seek any relief for [his] own personal and spiritual reasons." [Filing No. 7](#). Accordingly, and pursuant to the Court's April 8, 2025, Memorandum and Order,

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Dismissal, [Filing No. 7](#), is granted. This matter is dismissed without prejudice.

2. The Court's April 8, 2025, Memorandum and Order, [Filing No. 6](#), is vacated to the extent that Plaintiff's IFP Motion, [Filing No. 2](#), is denied and the Court will not assess any filing fee payments against Plaintiff.

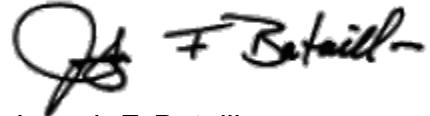
3. The Clerk of the Court is directed to update the Court's records to reflect that Plaintiff is not liable for payment of the filing fee.

4. The Clerk of the Court is further directed to send a copy of this order to the appropriate official at Plaintiff's institution. Plaintiff's institution must not collect any filing fee payments from Plaintiff.

5. A separate judgment will be entered in accordance with this Memorandum and Order.

Dated this 17th day of April, 2025.

BY THE COURT:



Joseph F. Bataillon
Senior United States District Judge